IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 3921/1999

STATE OF RAJASTHAN
Vs.
LABOUR COURT NO.2, JAIPUR & ANR.

Date: 18.12.2006.

HON'BLE MR. K.S. RATHORE, J.

Mr. D.D. Sharma, Dy. GA for the petitioner State.

****

This writ petition is directed against the impugned Award dated 14.10.98 passed by the Labour Court No.2, Jaipur, by which the termination order dated 01.02.87 passed against respondent-workman Sukhpal Gujar has been quashed and set-aside with 50% back wages and continuity of service.

Having gone through the impugned Award passed by the Labour Court, on the principle of No Work No Pay, the respondent-workman is not entitled to get 50% back wages and the Labour Court has also observed that respondent-workman has failed to show that whether during this period he was gainfully employed or not?

In these circumstances, I deem it proper to quash and set-aside the directions issued by the Labour Court vide its Award dated 14.10.98 regarding payment

of 50% back wages on the principle of ***No Work No Pay.***

Consequently, the writ petition stands partly allowed and the impugned Award dated 14.10.98 passed by the Labour Court No.2, Jaipur is modified to the extent as indicated herein above.

(K.S. RATHORE),J.

/KKC/